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Small Claims Division

MCLA 600.8401. **Small Claims Division**

The jurisdiction of the small claims division shall be confined to cases for the recovery of money only when the amount claimed does not exceed \$3000.

Small claims matters must be filed in the county where the defendant resides or where the cause of action took place. **(600.8415)** A small claims case may be scheduled in front of a magistrate who will receive the evidence from both sides and will make a decision. An appeal of a magistrate's decision to a judge must be made within seven days of the magistrate's decision. **(MCR 4.401d)**

Small claims courts are designed to operate informally and without attorneys present. **(600.8408)** You represent yourself, speak directly to the judge or attorney magistrate, provide your own evidence, and have any witnesses you wish speak for you. The person or business you are suing has the opportunity to respond. You do not need to know the law before you appear for a hearing. After hearing both sides, the judge will decide whether money is owed to any party, and if so, how much. The Court does not collect the money awarded in a

judgment, however the judgement shall include a warning that the defendant's failure to pay may result in execution against the defendant's property and that the defendant may be compelled to appear for an examination of the defendant's assets. **(600.8410(4))**

Kalamazoo District Court Small Claims Filing Fees (effective 10/1/03):

If claim is between
\$17501.01 to \$3000.00 (\$65),
\$600.01 to \$1750.00 (\$45),
\$600.00 or less (\$25)

File approved court forms (with carbons) available from the District Court Clerk at any Kalamazoo County District Court Facility.

Kalamazoo County District Court Facilities:

North Location—227 W. Michigan Ave., Kalamazoo, MI 49007, (269) 383-8837

South Location—7810 Shaver Rd., Portage, MI 49002, (269) 383-6460

Crosstown Location—150 Crosstown Pkwy., Kalamazoo, MI 49007, (269) 384-8020

The information presented here is not intended to be a substitute for legal advice. You should talk with an attorney if you have any questions about how this information applies to your own problem or facts.

January 2005

MCLA: Michigan Compiled Laws Annotated



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